

United States District Court
For the Northern District of California

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5 MICHAEL CAPODIECE and
6 TERRY L. CAPODIECE,

7 Plaintiffs,

8 No. C 13-00032 WHA

9 v.
10 WELLS FARGO BANK and DOES 1-5,
11 Defendants.

12 **ORDER TO SHOW CAUSE RE
13 FAILURE TO PROSECUTE**

14 By order dated May 9, partial summary judgment was granted in favor of defendant
15 Wells Fargo Bank, N.A., and the motion to dismiss was granted (Dkt. No. 34). The order stated
16 that plaintiffs may seek leave to amend their complaint by filing a motion and attaching the new
17 proposed pleading by May 30. The order further stated that “[i]f such motion is not filed by the
18 deadline, this case will be closed and judgment entered” (*id.* at 10). That deadline has come and
19 gone and no motion has been filed.

20 Accordingly, plaintiffs are ordered to show cause why the action should not be dismissed
21 for failure to prosecute and judgment entered against them. Plaintiffs’ response is due by **NOON**
22 **ON JULY 8, 2013**. No extensions will be given.

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24 **IT IS SO ORDERED.**

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26 Dated: July 3, 2013.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE